

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 4, SERIES 2022**

**AN ORDINANCE ADOPTING BY REFERENCE AMENDMENTS OF THE LAND USE
ORDINANCES OF THE TOWN OF A GENERAL AND PERMANENT NATURE,
ENTITLED THE "TIMNATH LAND USE CODE, 2015 EDITION"**

WHEREAS, The Town of Timnath (the "Town") is a home rule municipality operating under the Timnath Home Rule Charter (the "Charter") adopted on November 7, 2006 and the Town's Municipal Code (the "Code"). Pursuant to the Charter, the Code and the authority given home rule municipalities, the Town may adopt and amend ordinances; and

WHEREAS, The Timnath Planning Commission held a regularly scheduled meeting on January 4, 2022 and recommended approval of the Land Use Code Amendment No. 11 to Town Council unanimously by 5-0 vote; and

WHEREAS, The Timnath Town Council held a regularly scheduled meeting on January 25, 2022 and upon hearing the statements of staff, and giving consideration to the recommendations; and

WHEREAS, The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of public health, welfare, peace, safety and property and that this Ordinance is necessary for the protection of public convenience and welfare.

**NOW, THEREFORE, THE COUNCIL OF THE TOWN OF TIMNATH, COLORADO,
ORDAINS:**

SECTION 1 – AMENDMENTS

1. Set forth as Exhibit A

SECTION 2 – SEVERABILITY

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

SECTION 3 – REPEAL

Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

ARTICLE 4 – EFFECTIVE DATE

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JANUARY 11, 2022, AND SET FOR PUBLIC HEARING AND SECOND READING AT 6:00 P.M. ON JANUARY 25, 2022 AT THE TIMNATH ADMINISTRATION BUILDING, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 11TH DAY OF JANUARY 2022.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON JANUARY 25, 2022.

TOWN OF TIMNATH, COLORADO

DocuSigned by:

Mark Soukup

3BDD94680F9C4E8...
Mark J. Soukup, Mayor

ATTEST:

DocuSigned by:

Milissa Peters-Garcia

07A0AF3B02114D7...
Milissa Peters-Garcia, CMC
Town Clerk

EXHIBIT A
Land Use Code Amendments
(see attached)

Land Use Code Amendment 11

(All page and section numbers are subject to change with the inclusion of these amendments)

Table 2.1 Hearing Process and Notice Requirements (page 18)

Summary: This change is to the neighborhood meetings. Staff is proposing adding the requirement for a Neighborhood Meeting for any Minor Subdivision Applications for residential developments. This provides an additional notice for surrounding residential uses to be made aware of future land development.

Existing

		Pre-App	Completeness	Neighborhood Meeting	Public Hearing	Rec.	Decision	Posted	Mailed	Published	Additional Req.
2.9.10	Subdivisions	✓	✓	✓*	PC/TC	PC	TC	✓	✓	✓	*Only required for Sketch Plan & Preliminary Plat

Proposed

ADDED-

		Pre-App	Completeness	Neighborhood Meeting	Public Hearing	Rec.	Decision	Posted	Mailed	Published	Additional Req.
2.9.10	Subdivisions	✓	✓	✓*	PC/TC	PC	TC	✓	✓	✓	*Only required for Sketch Plan, Preliminary Plat & Residential Minor Subdivisions

2.9.10 Subdivisions (page 31)

Summary: This change is to the Subdivision Review Criteria. Minor Subdivisions in the Land Use Code currently have very basic review criteria. In particular, the Minor Subdivision process could be used to circumvent the Major Subdivision process. In certain circumstances, Minor Subdivisions are appropriate and should be the process used. However, Staff is recommending that the process be enhanced to include additional parameters. The proposed changes would help give Staff the ability to process Minor Subdivisions with more clarity.

Existing

2.9.10.9 Subdivision Review Criteria

A. Minor subdivision plat review criteria. In addition to all provisions of this Code, the Town shall use the following criteria to evaluate the applicant's minor plat application:

1. The development will substantially comply with this Code and the Comprehensive Plan.
2. All applicable technical standards have been met

Proposed

A. Minor subdivision plat review criteria. In addition to all provisions of this Code, the Town shall use the following criteria to evaluate the applicant's minor plat application:

CHANGED -

1. Minor Subdivisions for Residential Developments

- a. **The development will substantially comply with this Code and the Comprehensive Plan.**
- b. **The utility and transportation design is adequate, given existing and planned capacities of those systems.**
- c. **Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.**
- d. **All applicable technical standards have been met**
- e. **There have not been other Minor Subdivision Plats within the same subdivision such that in combination with the proposed Minor Subdivision they would circumvent the intent of this Section.**

2. Minor Subdivisions for Commercial & Mixed Use Developments ,

- a. **The development will substantially comply with this Code, the Comprehensive Plan, and any Major Subdivision Plat for the property.**
- b. **The utility and transportation design is adequate, given existing and planned capacities of those systems.**

- c. Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.**
- d. All applicable technical standards have been met**
- e. Properties of .01 – 10 acres may submit a maximum of three Minor Subdivision Applications**
- f. Properties of 10.01 – 20 acres may submit a maximum of six Minor Subdivision Applications.**
- g. Properties of 20.01 acres or more may submit a maximum of ten Minor Subivision Applications.**

Article 4 – Use Regulations and Conditions (page 57)

Summary: This change is to the Standard District Table of Permitted Uses. The use of a care center is currently prohibited in the Harmony Corridor according to Table 4.1 of the Land Use Code. Staff believes that there is a need for child care services in the Town and there are limited zoning districts available for the use currently annexed to the Town. Therefore, there is justification to allow this use within the Harmony Corridor Overlay Zone District. However, staff does not consider a care center the highest and best use fronting directly on Harmony road. Staff is recommending the use be added to the Permitted with Conditions (PC) category with the condition that it not front Harmony Road.

Care Center

Existing

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	C	C	C	C	PC	PC	C	PC	*

Proposed

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	C	C	C	C	PC	PC	C	PC	PC

Conditions for Use Permitted with Conditions

4.4.8 Care Center; Care Home

- **ADDITION - 4.4.8.17** In the Harmony Corridor Overlay District, a care center may not front Harmony Road.

Article 4 – Use Regulations and Conditions (page 57)

Summary: This amendment is for the Liquor Store without Drive-thru use. This use is currently not specifically called out in the Land Use Code. Therefore, it would be allowed with the same permissions as a ‘Retail establishment not otherwise listed’ use. Since the requirements of a liquor store without drive-thru vary from that of other general retail establishments, Staff recommends adding the use to Table 4.1 with the following additional conditions. With direction from Council, the land use table has been updated to show that a Liquor Store without Drive-Thru may not be permitted in the Neighborhood Commercial (NC) district.

ADDITION - Liquor Store without Drive-thru

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	*	*	C	C	*	PC	PC	P	PC

Conditions for Use Permitted with Conditions

ADDITION – 4.4.19 Liquor Store without Drive-thru

4.4.19.1 Hours of operation shall be no earlier than 6:00 am and no later than 9:00 p.m. Sunday through Thursday and no later than 10:00 p.m. on Friday and Saturday when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

4.4.19.2 No Liquor Store shall be permitted within 500 feet of any lot zoned RE, R1, or R2 as measured from property lines.

4.4.19.3 No Liquor Store shall be permitted within 300 feet of any Lot zoned R3, as measured from property lines.

Table 4.1 Standard District Table of Permitted Uses (page 57)

Summary: This change is to the table of permitted uses and definitions related to manufacturing and selling of alcoholic beverages, specifically cideries and wineries. The current Land Use Code does not contain a definition of the use of ‘manufacturing and selling alcoholic beverages’. In addition, Staff has added cideries and wineries to capture those potential future users in Timnath. Based on the recommendation from Town Council on January 26, 2022, the uses of a cidery, distillery, winery, and micro-brewery are now prohibited in the Neighborhood Commercial (NC) zoning district.

Existing

Distillery

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	*	*	C	C	C	C	PC	P	C

Micro-Brewery

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	*	*	C	C	C	C	PC	P	C

Proposed

CHANGED TO - Cidery, distillery, or winery

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	*	*	C	C	*	C	PC	P	C

Micro-Brewery

A	RE	R1	R2	R3	R4	RMU	CMU	B	NC	CC	RC	I	HC
*	*	*	*	*	*	*	C	C	*	C	PC	P	C

Conditions for Uses Permitted with Conditions

ADDITION – 4.4.13 Cidery, distillery, or winery (beverage manufacturing) – will add same conditions for Micro-Breweries

- Hours of operation shall be no earlier than 6:00 am and no later than 8:00 p.m. Sunday through Thursday and 9:00 p.m. on Friday and Saturday when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

ADDITION – 11.2 Definitions

Cidery, distillery, or winery: An establishment where malt liquors or fermented malt beverages, spirits or other alcohol, including but not limited to, fermented cider, or wine are manufactured that has a manufacturer's or wholesaler's license under the Colorado Liquor Code.

Micro-Brewery: means a limited production brewery, producing less than fifteen thousand (15,000 barrels per year), where beer is brewed for consumption primarily on-site.

Article 4 – Use Regulations and Conditions (page 57)

Summary: This change is to the Standard District Table of Permitted Uses. Based on previous guidance from the Town, Staff is proposing to make all residential uses Permitted with Conditions (PC) in the Business zoning district (B). These uses would be permitted with the condition that the property owner has the opportunity to rebuild an existing residence but is prohibited from constructing a new single-family residential dwelling.

Dwelling, Single-Family

Existing

Will include current Land Use Table for residential uses in Business Zoning District

No conditions provided

Proposed

ADDITION

PC for all residential uses in Business zoning district

4.4.13 Dwelling, Single-Family

4.4.13.1 In the Business District, a property owner may rebuild or expand an existing residence but shall not be permitted to construct a new structure for residential use.

4.4 Conditions for Uses Permitted with Conditions (page 70)

Summary: This is a change to the Health Club use. This addition to Article 4 – Use Regulations and Conditions provides development conditions for uses that have been identified as PC in multiple zoning districts in the Timnath Land Use Code. Staff has included this condition to assure adequate buffering and cohesion of this use to potential residential uses the development may abut.

Existing

There are no conditions provided for this use. Permitted with conditions in CMU, B, NC, CC, and RC zoning districts.

Proposed

ADDITION

4.4.18 Health Clubs

Hours of operation shall be no earlier than 6:00 a.m. and no later than 10:00 p.m. when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot.

4.4 Conditions for Uses Permitted with Conditions (page 74)

Summary: This change is to Retail Fuel Station Use. Due to the increasing interest in the Retail Fuel Station use, particularly within the Harmony Corridor Overlay Zone District, staff is proposing an additional condition limiting the number of uses permitted per quarter-mile to all Retail Fuel Station Uses. Staff believes this change will increase the integrity of the Harmony Corridor and other major thoroughfares. Additionally, it will create more opportunities for other users.

Existing

4.4.32 Retail Fuel Stations

4.4.32.1 Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot. This restriction shall not apply where the station is separated from such use or lot by a major arterial street.

4.4.32.2 Accessory motor vehicle repair service is restricted to commercial and industrial districts. Any wrecked, partially dismantled, or inoperative vehicles located on-site in an enclosed building or in a separate motor vehicle storage yard which meets the requirements of this ordinance for outdoor storage.

4.4.32.3 All fuel pumps and canopies shall be located in the side or rear yard only at least 20 feet from any adjacent property line. On corner lots, fuel pumps and canopies located in side yards shall be on the side of the principal structure located away from the street intersection.

Proposed

4.4.32 Retail Fuel Stations

NO CHANGE - 4.4.32.1 Hours of operation shall be no earlier than 6:00 a.m. and no later than midnight when this use abuts a lot containing a legal, conforming residential use or a residentially zoned lot. This restriction shall not apply where the station is separated from such use or lot by a major arterial street.

NO CHANGE - 4.4.32.2 Accessory motor vehicle repair service is restricted to commercial and industrial districts. Any wrecked, partially dismantled, or inoperative vehicles located on-site in an enclosed building or in a separate motor vehicle storage yard which meets the requirements of this ordinance for outdoor storage.

NO CHANGE - 4.4.32.3 All fuel pumps and canopies shall be located in the side or rear yard only at least 20 feet from any adjacent property line. On corner lots, fuel pumps and canopies located in side yards shall be on the side of the principal structure located away from the street intersection.

ADDITION - 4.4.32.4 In the Harmony Corridor, the property line bounding a proposed retail fuel station parcel shall be located at least one thousand three hundred twenty (1,320) feet (one quarter [1/4] of a mile) from any other such use property line. In all other zoning districts there shall be no more than one (1) retail fuel station at any 4-way intersection.

5.2 Dimensional Standards (page 82)

Summary This change is to the dimensional standards table related to the Estate Residential Zoning District. Upon recent development proposals, staff has identified that the minimum lot area of 1 acre and a maximum gross density of 1 unit per acre is not feasible when considered in conjunction with the road network improvements and the required open space criteria. Staff therefore is recommending reducing the lot area to a half-acre. This change still provides a lot size appropriate for estate-style homes while meeting the intent of the Town’s comprehensive plan.

Table 5.1 Dimensional Standards – Lot area, Width and Coverage

Existing

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Frontage	Lot Coverage	Max. Density
RE – Estate Residential	1 acre	140'	50'	25%	1 Unit per acre

Proposed

CHANGED TO -

Zoning District	Min. Lot Area	Min. Lot Width	Min. Lot Frontage	Lot Coverage	Max. Density
RE – Estate Residential	1 acre 0.5 acre	140'	50'	25%	1 Unit per acre

5.2 Dimensional Standards (page 84)

Summary: : This amendment is related to decks and stairs as part of the Additional Dimensional Standards Requirements. Staff has been applying the standard that stairs attached to a deck are considered part and parcel to the deck system and should meet the setbacks associated with the deck. There have been cases where the deck meets the setback but the stairs do not. Specifically clarifying what the Town considers to be included when considering a deck should eliminate ambiguity. This change is in response to the direction Staff received from the Board of Adjustments in September.

Existing

5.2.1 Additional Dimensional Standards Requirements for Standard Districts.

5.2.1.3 Covered decks or patios, or decks and patios over 30" above ground level, shall not encroach into side yard setbacks, or more than 25% into rear yard setbacks.

Proposed

5.2.1 Additional Dimensional Standards Requirements for Standard Districts.

CHANGED - 5.2.1.3 Covered decks or patios, or decks and patios over 30" above ground level, shall not encroach into side yard setbacks, or more than 25% into rear yard setbacks. **Stairs attached to the structure shall be considered a functional use of the feature; therefore, they must comply with the dimensional standards and setback requirements outlined in this section.**

5.2.1 Additional Dimensional Standards Requirements for Standard Districts. (page 84)

Summary: This change is to the Additional Dimensional Standards Requirements. Specifically relating to the front yard setback requirements for porches and patios. These notes are included to provide flexibility with setback requirements. This would provide residents of smaller lot sizes the opportunity to create usable outdoor space with fewer restrictions.

Existing

5.2.1.1 Cornices, canopies, eaves or similar architectural features may extend from the building into a required setback not more than 2 feet. Open, unenclosed, uncovered decks or patios 30 inches or less above ground level may extend into a required setback not more 30% into a side yard setback, or 50% into the rearyard setback.

5.2.1.2 At grade appurtenances or mechanical equipment shall meet front, side and rear yard setbacks.

5.2.1.3 Covered decks or patios, or decks and patios over 30" above ground level, shall not encroach into sideyard setbacks, or more than 25% into rear yard setbacks.

5.2.1.4 Air Conditioning Units and Window Wells that are not part of the foundation design shall be placed in the rear or side yard setback but must not be closer than 2 feet to the property line on lots with 7 foot side yard setbacks, and not be closer than 1 foot to the property line on lots with 5 foot side yard setbacks. Window Wells that are part of the foundation need to meet the setback requirement.

Proposed

NO CHANGE - 5.2.1.1 Cornices, canopies, eaves or similar architectural features may extend from the building into a required setback not more than 2 feet. Open, unenclosed, uncovered decks or patios 30 inches or less above ground level may extend into a required setback not more 30% into a side yard setback, or 50% into the rearyard setback.

ADDED - 5.2.1.2 At grade appurtenances or mechanical equipment shall meet front, side and rear yard setbacks. **At grade patios can extend up to 4 feet into the front yard easement for a minimum 10' front yard setback setback.**

ADDED - 5.2.1.3 Covered decks or patios, or decks and patios over 30" above ground level, shall not encroach into sideyard setbacks, or more than 25% into rear yard setbacks. **Above grade patios and decks may extend to the front yard easement line but shall not encroach said easement.**

NO CHANGE - 5.2.1.4 Air Conditioning Units and Window Wells that are not part of the foundation design shall be placed in the rear or side yard setback but must not be closer than 2 feet to the property line on lots with 7 foot side yard setbacks, and not be closer than 1 foot to the property line on lots with 5 foot side yard setbacks. Window Wells that are part of the foundation need to meet the setback requirement.

5.8 Parking Requirements (page 113)

Summary: This is a change to Parking Requirements pertaining to parking reduction requests. Removing the language that the following requirements be met eliminates the potential confusion as multiple percentages are addressed that do not coincide with one another. Additionally, staff proposes the inclusion of the requirement to have a minimum run of permeable stalls when applicable to eliminate the potential of one off spaces in a development just to meet criteria.

Existing

5.8.8 Applicant Submitted Parking Data The Town Planner may accept up to 10% greater or fewer parking spaces than required in the Parking Space Table (or a specific number of spaces for a use not listed) based upon a phased development plan or applicant-submitted parking data such as a shared parking analysis using the Urban Land Institute's "Shared Parking" publication or appropriate standards from The Institute of Transportation Engineers (ITE) or other credible sources, provided the following requirements are met

5.8.8.1 Parking Waiver. The Town Planner may authorize up to a 25% reduction in the total number of parking spaces required when parking requirements cause the potential demolition of a historic structure or damage of significant tree stands. The Town Planner may issue such waiver at the request of the applicant after determining that the reduction will not unreasonably increase parking congestion. The applicant shall not disturb the structure or trees for which the waiver is granted.

5.8.8.2 Paving When Maximum Exceeded. Parking that exceeds maximums by five spaces or more must be paved with pervious pavers or pavement.

Proposed

REMOVED - 5.8.8 Applicant Submitted Parking Data The Town Planner may accept up to 10% greater or fewer parking spaces than required in the Parking Space Table (or a specific number of spaces for a use not listed) based upon a phased development plan or applicant-submitted parking data such as a shared parking analysis using the Urban Land Institute's "Shared Parking" publication or appropriate standards from The Institute of Transportation Engineers (ITE) or other credible sources. ~~provided the following requirements are met.~~

NO CHANGE - 5.8.8.1 Parking Waiver. The Town Planner may authorize up to a 25% reduction in the total number of parking spaces required when parking requirements cause the potential demolition of a historic structure or damage of significant tree stands. The Town Planner may issue such waiver at the request of the applicant after determining that the reduction will not unreasonably increase parking congestion. The applicant shall not disturb the structure or trees for which the waiver is granted.

ADDED - 5.8.8.2 Paving When Maximum Exceeded. Parking that exceeds maximums by five spaces or more must be paved with pervious pavers or pavement. **Sites that require pervious spaces shall have a minimum run of 10 or more permeable parking stalls.**

6.7.2 Security Requirements (page 145)

Summary: This change is to the Security Requirements for initial acceptance. Staff is proposing the addition of the requirement to request a final landscape inspection within one year of the initial acceptance to assure developments are providing approved landscaping prior to the final acceptance of public improvements.

Existing

6.7.2 Security Requirements

B. Warranty Security: Developer shall warrant any and all Public Improvements for a period of two (2) years from the date Town issues a letter of Initial Acceptance for the applicable Phase that has been constructed. As a condition of issuance of any letter of Initial Acceptance of any Public Improvements, Developer shall provide to Town a sight draft letter of credit (“Warranty Security”), and in the amount of the remaining Completion Security set forth in paragraph above, to ensure that Public Improvements for which Initial Acceptance has occurred will attain Final Acceptance by the Town during the Warranty Period, which Warranty Security will be satisfied by either retention or replacement of the remaining Completion Security

Proposed

ADDED - B. Warranty Security: Developer shall warrant any and all Public Improvements for a period of two (2) years from the date Town issues a letter of Initial Acceptance for the applicable Phase that has been constructed. **Final landscape inspection must be requested within one (1) year of initial acceptance.** As a condition of issuance of any letter of Initial Acceptance of any Public Improvements, Developer shall provide to Town a sight draft letter of credit (“Warranty Security”), and in the amount of the remaining Completion Security set forth in paragraph above, to ensure that Public Improvements for which Initial Acceptance has occurred will attain Final Acceptance by the Town during the Warranty Period, which Warranty Security will be satisfied by either retention or replacement of the remaining Completion Security

Article 10 – Annexation (page 190)

Summary: This amendment is to the requirement in the Land Use Code that the Mayor attend all Annexation Pre-application meetings. Staff recommends removing the requirement since there are certain times where these pre-application meetings don't necessarily justify the Mayor's attendance. In certain circumstances, Staff will extend the invitation to the Mayor, but by removing it from the Land Use Code will remove that these are required in all cases. Staff will continue to review future annexations against the Timnath Land Use Code, Comprehensive Plan, and state requirements. Staff will assess the impacts of an annexation and extend a formal invitation for those deemed necessary.

Existing

10.4 Pre-application Conference

Annexation Pre-Application Conference. The application process begins with a pre-application conference among the property owner, the Mayor and designated Town staff members to review procedures and requirements, to discuss the intended use of the property, and to identify issues that are apparent at that time and relevant to the annexation. Following this informal meeting, the applicant may submit the Annexation Application as described in this Article, the completed Annexation Application form, maps and supporting documents.

Proposed

10.4 Pre-application Conference

CHANGED - Annexation Pre-Application Conference. The application process begins with a pre-application conference **in which the Mayor may attend. The meeting among** with the property owner, ~~the Mayor~~ and designated Town staff members to review procedures and requirements, to discuss the intended use of the property, and to identify issues that are apparent at that time and relevant to the annexation. Following this informal meeting, the applicant may submit the Annexation Application as described in this Article, the completed Annexation Application form, maps and supporting documents.